

ORDINANCE NO. 3285

BILL NO. 41 (2005)

A BILL FOR AN ORDINANCE AMENDING
SECTION 3.48.450, MAUI COUNTY CODE,
PERTAINING TO REAL PROPERTY TAX HOME EXEMPTION

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Section 3.48.450, Maui County Code, is
amended to read as follows:

"3.48.450 Homes--Standards for valuation. A. Real property owned and occupied only as a principal home, as of the date of assessment, by an individual or individuals, shall be exempt only to the following extent from property taxes:

1. Totally exempt where the value of the property is not in excess of \$110,000;

2. Where the value of the property is in excess of \$110,000, the exemption shall be in the amount of \$110,000.

B. The provisions of subsection A of this section shall apply, provided, as follows:

1. That no such exemption shall be allowed to any corporation, copartnership, or company;

2. That the exemption shall not be allowed on more than one home for any one taxpayer;

3. That where the taxpayer has acquired [his] a home by a deed made on or after July 1, 1951, the deed shall have been recorded on or before December 31 immediately preceding the year for which the exemption is claimed;

4. That a husband and wife shall not be permitted exemption of separate homes owned by each of them, unless they are living separate and apart; in which case they shall be entitled to one exemption, to be apportioned between each of their

respective homes in proportion to the value thereof; and

5. That a person living on premises, a portion of which is used for commercial purposes, shall not be entitled to an exemption with respect to such portion, but shall be entitled to an exemption with respect to the portion thereof used exclusively as a home.

C. Notwithstanding the provisions of subsection A of this section and section 3.48.465, for the tax years ending June 30, 2006 and June 30, 2007, real property owned and occupied only as a principal home, as of the date of assessment, by an individual or individuals, shall be exempt only to the following extent from property taxes:

1. Totally exempt where the value of the property is not in excess of \$200,000;

2. Where the value of the property is in excess of \$200,000, the exemption shall be in the amount of \$200,000."

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 3. This ordinance shall take effect on July 1, 2005 (January 1, 2005 date of assessment).

APPROVED AS TO FORM AND LEGALITY:



TRACI FUJITA VILLAROSA
First Deputy Corporation Counsel
County of Maui

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WE HEREBY CERTIFY that the foregoing BILL NO. 41 (2005)

2005 MAY 23 PM 3: 58

1. Passed FINAL READING at the meeting of the Council of the County of Maui, State of Hawaii, held on the 23rd day of May, 2005, by the following vote:

G. Riki HOKAMA Chair	Robert CARROLL Vice-Chair	Michelle ANDERSON	Jo Anne JOHNSON	Dain P. KANE	Dennis A. MATEO	Michael J. MOLINA	Joseph PONTANILLA	Charmaine TAVARES
Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye

2. Was transmitted to the Mayor of the County of Maui, State of Hawaii, on the 23rd day of May, 2005.

DATED AT WAILUKU, MAUI, HAWAII, this 23rd day of May, 2005.



G. RIKI HOKAMA, CHAIR
Council of the County of Maui



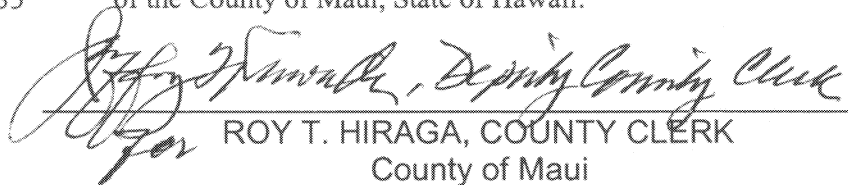
ROY T. HIRAGA, COUNTY CLERK
County of Maui

THE FOREGOING BILL IS HEREBY APPROVED THIS 29 DAY OF May, 2005.



ALAN M. ARAKAWA, MAYOR
County of Maui

I HEREBY CERTIFY that upon approval of the foregoing BILL by the Mayor of the County of Maui, the said BILL was designated as ORDINANCE NO. 3285 of the County of Maui, State of Hawaii.



ROY T. HIRAGA, COUNTY CLERK
County of Maui

Passed First Reading on May 16, 2005.
Effective date of Ordinance July 1, 2005.

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CLERK OF THE COURT

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 3285, the original of which is on file in the Office of the County Clerk, County of Maui, State of Hawaii.

Dated at Wailuku, Hawaii, on

County Clerk, County of Maui